

ORDERED that Defendants' Motion to Dismiss The First Amended Class Action Complaint (Doc. No. 25) be **DENIED** as to Count I and **GRANTED WITHOUT PREJUDICE** as to Count II. Plaintiffs are given leave to amend their Complaint and replead Count II. It is also **ORDERED** that the Request for Judicial Notice (Doc. No. 26) be **GRANTED**.

SIGNED this 29th day of September, 2015.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE